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RULSDMK/DEPT OF TRANSPORTATION WASHDC PRIORITY
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SUBJECT: IRELAND SEEKS USG ASSURANCES ON AIRLINE PASSENGER DATA TRANSFER

REF: YOUNG-MORENSKI E-MAIL OF 10/5/06 AND PREVIOUS

¶1. (SBU) Ireland would appreciate written USG assurance that airline passenger data to be provided this week to U.S. authorities by Aer Lingus would be treated under the guidelines of the lapsed 2004 U.S.-EU Passenger Name Record (PNR) agreement, Robin McKay, Irish Department of Transport Principal Officer for Aviation Regulation and International Relations, told Pol/Econ Chief on October 3. McKay acknowledged that a new U.S.-EU PNR agreement might be reached by October 7-8, but he noted that any such agreement would require Irish parliamentary approval. The parliamentary process, he added, could extend by several weeks the "legal limbo" in which passenger data is now shared. McKay observed that several Transport Department officials had put forward the view that ongoing passenger data transfer was technically illegal in the absence of a U.S.-EU agreement.

¶2. (SBU) Comment: Post would appreciate any guidance from Washington agencies on the possibility of USG assurances regarding passenger data transfer. We took note of the October 4 European Commission Midday Briefing, which cited discussions between Secretary Chertoff and Commissioner Frattini on the subject.

KENNY